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10 Attorneys for Plaintiff

11 IN THE UNITED STATES DISTRICT COURT  
12 FOR THE SOUTHERN DISTRICT OF CALIFORNIA

13 CHIQUITA FRESH, N.A., L.L.C.

14 Plaintiff

15 v.

16 SAMMY'S PRODUCE, INC., et al

17 Defendants

Civil Action No: 08-CV714 JLS(POR)

**PROOF OF SERVICE**

18  
19 I, Tina Floros, declare under penalty of perjury that the following facts are true  
20 and correct:

21 I am a resident of the State of California and over the age of 18 years and not a  
22 party to or interested in the within entitled cause. I am an employee of KIRBY &  
23 McGUINN, A P.C., and my business address is 600 B Street, Suite 1950, San Diego,  
24 California 92101. On May 2, 2008, I served the following document(s):  
25

26 **1) AMENDED APPLICATION FOR PRELIMINARY INJUNCTION;**

27 **2) DECLARATION IN SUPPORT OF APPLICATION FOR PRELIMINARY**  
28 **INJUNCTION;**

1                   **3) [PROPOSED] ORDER GRAINTING PRELIMINARY INJUNCTION by**  
2

3                   ■ **MAIL:** by placing a true copy(ies) thereof in a sealed envelope(s) in the  
4                   outgoing mail tray located in my office for deposit in the United  
5                   States mail, with postage fully prepaid, addressed as shown below.  
6                   I am readily familiar with the business practice at my place of  
7                   business for collection and processing of outgoing mail with the  
8                   U.S. Postal Service that same day in the ordinary course of  
9                   business.

10                  □ **PERSONAL SERVICE:** by personally serving by hand-delivery, via the  
11                  same in an envelope(s) addressed as shown below:

12                  □ **OVERNIGHT DELIVERY:** by enclosing, a true copy(ies) in a sealed  
13                  Federal Express/Overnite Express envelope(s) addressed as  
14                  shown below.

15                  □ **VIA FACSIMILE:** by transmitting via telefax to the number(s) shown  
16                  below:

17                  Sammy's Produce, Inc.  
18                  1635 Rosencrans Street, Suite D  
19                  San Diego, CA 92106

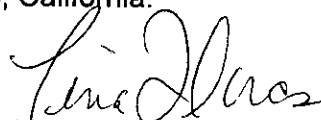
20                  Yan Skwara  
21                  1635 Rosencrans Street, Suite D  
22                  San Diego, CA 92106

23                  Samuel V. Nucci  
24                  1635 Rosencrans Street, Suite D  
25                  San Diego, CA 92106

26                  Darin Pines  
27                  1635 Rosencrans Street, Suite D  
28                  San Diego, CA 92106

                  I declare under penalty of perjury under the laws of the United States that the  
above is true and correct.

Executed on May 2, 2008, at San Diego, California.



Tina Floros